IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JAIPUR BENCH

S.B. CRIMINAL MISC. PETITION NO.1085/02

Smt. Manju Devi

Versus

Shri Pappu @ Deepak Kumar

DATE OF ORDER :: 10/08/2007

HON'BLE MR. JUSTICE AJAY RASTOGI

Mr. Pankaj Jain for Mr. Manu Bhargava, for petitioner
Mr. Pankaj Gupta, for respondent

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Instant petition has been filed assailing the orders dated 25th May, 2000 and so also 7th June, 2002 whereby application filed by petitioner u/s.125 Cr.P.C. seeking interim maintenance, was rejected by both the courts below.

Learned trial Judge on the basis of material has denied interim maintenance to petitioner and the same was the fate which she met before Revisional Court.

Since application of petitioner, which was filed u/s.125 Cr.P.C. somewhere on 27th July, 1999 seeking maintenance, has not been decided on merits for the reason that record of both the courts below was called for and on account of its pendency, the matter could not have been proceeded any further, this court in the facts of instant case considers it appropriate to direct

learned trial Judge to consider and pass final orders on her application u/s.125 Cr.P.C. and it is made clear that the observations made in the orders impugned shall not come in way and the court may decide her application independently in accordance with law.

Since it is an old matter, it is expected from learned trial Judge to dispose of her application expeditiously, but in no case later than six months from the date both of them put appearance before learned trial Judge. Parties are directed to appear before learned trial Judge on 24th September, 2007.

With the above observations, the criminal misct. petition stands disposed of. Record be sent back to trial court forthwith.

[AJAY RASTOGI],J.

FRBOHRA,JR.P.A.